IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

SPECIAL CIVIL APPLICATION No 9119 of 1993

For Approval and Signature:

Hon'ble MR.JUSTICE A.M.KAPADIA

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1. Whether Reporters of Local Papers may be allowed to see the judgements? : NO

2. To be referred to the Reporter or not? : NO

3. Whether Their Lordships wish to see the fair copy of the judgement? : NO

4. Whether this case involves a substantial question of law as to the interpretation of the Constitution of India, 1950 of any Order made thereunder? : NO

5. Whether it is to be circulated to the concerned Magistrate/Magistrates,Judge/Judges,Tribunal/Tribunals? : NO

PATEL NARSINHBHAI BECHARBHAI

Versus

COLLECTOR BANASKANTHA & OTHERS

Appearance:

1. Special Civil Application No. 9119 of 1993

MR PJ VYAS for Petitioner No. 1

MR SIRAJ GHORI AGP for Respondent No.1, 2 & 4.

Respondent No.3 served.

CORAM : MR.JUSTICE A.M.KAPADIA

Date of decision: 30/09/2002

ORAL JUDGEMENT

Mr. P.J. Vyas, learned advocate for the petitioner states that the petitioner has received written instructions from the son of the petitioner who is

present in Court to withdraw the petition in view of the fact that the petitioner has already handed over possession of the land which is the subject matter of dispute in this petition to respondent No.3 Maganbhai Devabhai Panchal. Mr. Siraj Ghori, learned AGP who appears for respondent Nos.1, 2 and 4 has no objection if leave to withdraw the petition is granted in view of the fact that the possession of the land has already been handed over to respondent No.3. In view of this, leave to withdraw the petition is granted. The petition stands rejected as it is withdrawn. Rule is discharged. No order as to costs. The order for maintaining status quo shall stand vacated. The letter written by the son of the petitioner to Mr. Vyas, learned advocate for the petitioner, shall be retained on the record of the petition.

(A.M. Kapadia, J.)

(karan)